JUDGE:	Hon. Marc L. Barreca
CHAPTER:	Chapter 7
HEARING DATE:	September 7, 2012
HEARING TIME:	9:30 a.m.
HEARING SITE:	700 Stewart St., #7106 Seattle, WA 98101
RESPONSE DATE:	August 31, 2012

UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re: ADAM GROSSMAN, Debtor.	Case No. 10-19817 NOTICE OF HEARING AND OBJECTION TO PROOF OF CLAIM #18 FILED BY TANAGER FUND, LP.

TO: CLERK OF COURT
TO: OFFICE OF THE U.S. TRUSTEE
TO: DEBTOR'S ATTORNEY
TO: DEBTOR AND
TO: CREDITOR/CLAIMANT

Tanager Fund
4001 Kennett Pike, Ste. 134
Greenville, DE 19807

Ronald Brown, the chapter 7 Trustee has filed papers with the Court objecting to the claim you filed in this case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the relief requested in the Trustee's Objection, or if you want the Court to consider your view on the Objection, then on or before Friday, August 31, 2012 you or your attorney must do the following:

File with the Court a written response to the Trustee's Objection to your claim, explaining your position. The response must be filed at the United States Bankruptcy Court for the Western

Wood & Jones, P.S.
303 N. 67th Street
Seattle WA 98103
(206) 623-4382

District of Washington at Seattle, 700 Stewart Street, #6301, Seattle, Washington, 98101, and a copy served on Denice Moewes, 303 N. 67th Street, Seattle, Washington, 98103.

If you mail your response you must mail it early enough so that the Court, the Judge and the undersigned will receive it on or before the date stated above.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Trustee's Objection and may enter and order granting that relief.

OBJECTION TO CLAIM

YOU ARE HEREBY NOTIFIED that Ronald Brown, the Trustee herein objects to the claim which Tanager Fund filed under claim number 18. A hearing on the Trustee's Objection is scheduled for Friday, September 7, 2012, at 9:30 a.m., at U.S. Federal Courthouse, 700 Stewart Street, #7106, Seattle, Washington, 98101.

The Trustee objects to your claim upon the grounds indicated below:

The Debtor, Adam Grossman filed proof of claim #18 on behalf of the Tanager Fund, claiming that the Tanager Fund had an equitable interest in real property located at 20710 Glennview Drive, Cottonwood, California ("Glennview Property"). The Trustee objects to the claim upon the grounds indicated below

1) **The Trustee controls 100% of the membership interest in the Tanager Fund. The Trustee is the only party that has the ability to file a claim on behalf of the Tanager Fund and has not done so. Mr. Grossman has no standing to make any claim on behalf of the Tanager Fund.**

2) **The ownership of the Glennview Property was determined by the State Court in case number 09-3-02955-9SEA when it entered the Decree of Dissolution and awarded the Glennview Property to Mr. Grossman. Mr. Grossman was a party to that lawsuit and therefore, as to Mr. and Mrs. Grossman, the issue is res judicata. See Exhibit "1" to the Declaration of Denice Moewes filed simultaneously herewith. Mr. Grossman sought reconsideration of the Decree of Dissolution which was denied. In the Order Denying Respondent's Motion for Reconsideration the Court stated as follows:**

> **Respondent's motion to re-characterize the Glennview Drive property as the Respondent's separate property is DENIED. Although this property was purchased after the date of separation, the Respondent used $135,000 of community funds from the Terrington Davies LLC account to acquire this property. Further, exhibit 351 which purports to be a Deed of**

Wood & Jones, P.S.
303 N. 67th Street
Seattle WA 98103
(206) 623-4382

Trust on the Glennview Drive property is signed only by the Respondent himself calling into question the authenticity of this document. Moewes Declaration, Exhibit "2".

3) **The Glennview Property was purchased in May 20, 2010 and titled in the name of Adam Grossman. On December 13, 2010 the Glennview Property was then transferred to the 20710 Glennview Drive Family Trust, post-petition and without Court order. Pursuant to Court order dated February 10, 2012 (docket #45 and #48) title to the Glennview Property was quieted in the name of the Trustee. Moewes Declaration, Exhibit "3".**

4) **According to the sworn testimony of Adam Grossman, the Tanager Fund had only one asset and that was an account at Charles Schwab. Moewes Declaration, Exhibit "4".**

5) **Neither Adam Grossman nor the Tanager Fund can obtain title to the Glennview Property merely by filing a proof of claim.**

6) **There is no relevant evidence to support the assertion that the Tanager Fund has an 100% equitable interest in the Glennview Property.**

Dated this 30th day of July, 2012.

WOOD & JONES, P.S.

/s/ Denice E. Moewes
Denice E. Moewes, WSBA#19464
Attorney for Trustee
Ronald G. Brown

I hereby certify that on this 30th day of July, 2012 I sent via first class mail, postage prepaid, a copy of this Objection to Claim and Notice of Hearing to the claimant at the address listed above, the debtor at the address listed on the mailing matrix of 5766 27th Avenue NE, Seattle, WA 98105. The debtor's counsel and the Office of the U.S. Trustee was served via ECF.

/s/ Denice Moewes
Denice E. Moewes

Wood & Jones, P.S.
303 N. 67th Street
Seattle WA 98103
(206) 623-4382